

U.S. Department of JusticeUnited States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

December 17, 2007

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By Facsimile

Honorable Laura T. Swain
United States District Court
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: United States v. Manuel Fernandez
07 Cr. 1069 (LTS)

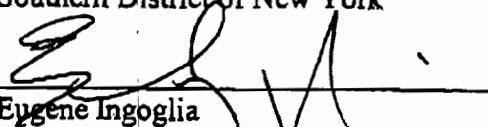
Dear Judge Swain:

The Government writes, after speaking with your Clerk, to respectfully request that time be excluded for purposes of the Speedy Trial Act between today's date and the conference date of January 18, 2007, at 10:30 a.m. During this time, the Government will gather and prepare discovery for production to the defense, and the parties will discuss possible resolution of the matter without need for trial. The Government has been unable to contact Mr. Hochbaum to confirm his consent to this request. Mr. Hochbaum has previously informed me that he is on trial in another matter.

Very truly yours,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

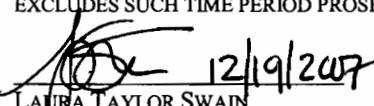
By:



Eugene Ingoglia
Assistant United States Attorney
(212) 637-1113

cc: Charles Hochbaum, Esq. (By facsimile)

THE REQUESTED EXCLUSION IS GRANTED. THE COURT FINDS THAT THE ENDS OF JUSTICE SERVED BY THE GRANTING OF AN EXCLUSION FROM SPEEDY TRIAL COMPUTATIONS FOR THE PERIOD FROM TODAY'S DATE THROUGH JANUARY 18, 2008, OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANT IN A SPEEDY TRIAL BECAUSE OF THE NEED FOR REASONABLE TIME FOR PRODUCTION AND REVIEW OF DISCOVERY, EFFECTIVE TRIAL PREPARATION AND ONGOING DISCUSSIONS. THE COURT, ACCORDINGLY, EXCLUDES SUCH TIME PERIOD PROSPECTIVELY. SO ORDERED.



12/19/2007

LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE